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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/808,614

03/25/2004

Mineki Taoka

70594-029

5028

20277

7590

01/17/2006

MCDERMOTT WILL & EMERY LLP  
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EXAMINER

SEVER, ANDREW T

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

ejl

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/808,614		TAOKA ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Andrew T. Sever		2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 3 is/are allowed.
- 6) ☒ Claim(s) 4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by Morgan et al. (US 2003/0227465 as cited in the previous office action.)

Morgan teaches in figures 1a, 1b, 2, and 4 a light deflection device in a projection type video display apparatus (100),

A light deflection device in a projection type video display apparatus comprising:

A light scrolling disc (114 shown in figure 2) arranged on an optical path of emitted light from a light source for projection; and

A driving device for rotating the light-scrolling disc around its center (knob shown in figure 1a is known in the art to be the axel/motor that is inherently provided to rotate the disc around its center),

The light scrolling disc comprising a spiral-shaped light transmission portion and other light interruption portion (clearly from inspection of figure 2 the filters which are

Art Unit: 2851

light transmission portions for a specific wavelength range and light interruption portions for all other wavelength ranges, are arranged in a spiral shape),

The position where the emitted light from the light source for projection is inputted to the light scrolling disc and the direction of rotation of the light scrolling disc being determined such that the shape of light passing through the light transmission portion in the light scrolling disc is a pattern in a circular arc shape which is an inverted U shape, and light with the pattern is circularly scrolled in a direction, perpendicular to the line direction, in which the writing of a data progresses on a hold-type display panel (see figure 4 which shows each color band being in an inverted U shape and as described in paragraph 21 is the color scheme/illumination pattern on a hold-type display panel which in this case is a DMD (digital micro-mirror device).

***Allowable Subject Matter***

3. Claims 2 and 3 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:  
Claims 2 and 3, claim a by-area overdrive control which as discussed by applicant in applicant's arguments is not taught by Morgan in such a way that it meets all of applicant's claim limitations. Since no other prior art was found which meets all of applicant's claim limitations, the claims are allowable.

***Response to Arguments***

5. Applicant's arguments filed 10/18/2005 have been fully considered but they are not persuasive.

Applicant argues that Morgan does not teach the Overdrive control means that meets applicant's claim limitations, however claim 4 does not include limitations directed to the overdrive control means and therefore whether Morgan teaches these means or not is irrelevant with regards to applicant's claim 4. With regards to the specific arguments given on page 8 of applicant's arguments that the scrolling means of Morgan does not meet the claim limitations of claim 4, applicants arguments were not found persuasive as applicant claims that the pattern of the light scrolling is in an inverted U shape not the totality of the light irradiating the modulator. Further as clearly shown in figure 4 Morgan includes intermediate bands such as the white band, violet band and yellow bands which are not the primary colors used by the system and can be considered by one of ordinary skill in the art at the time the invention was made to separate individual inverted U-shaped bands. Accordingly applicant's arguments are not found to be persuasive with regards to claim 4, and the rejection has been repeated and made final, with modifications so that the rejection reflects applicant's specific claim 4 language, however the grounds of the rejection are the same and the rejection is made final.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 2003/007134 to Maximus teaches in figures 1 and 2 prior art LCD driving methods that shows that the LCD is driven at different times depending on the position on the LCD panel.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T. Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00.

Art Unit: 2851

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AS

**William Perkey**  
**Primary Examiner**